

UNITED STATES OF AMERICA, :
v. : Case No. 3:08-cr-26-KRG-KAP
RODNEY GREEN, : (Case No. 3:12-cv-34-KRG-KAP)
Movant :

The defendant's motion to vacate, docket no. 117, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on March 21, 2012, docket no. 120, recommending that the motion to vacate be summarily denied, and that a certificate of appealability be denied.

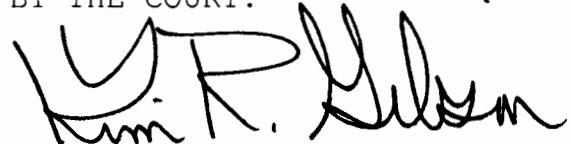
The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. No one has filed objections and the time to do so has expired.

After de novo review of the record of this matter and the Report and Recommendation, the following order is entered:

AND NOW, this 17th day of April, 2012, it is

ORDERED that the motion to vacate, docket no. 117, is denied and dismissed. No certificate of appealability is issued. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark the civil matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Kim R. Gibson', written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Rodney Green, Reg. No. 28017-039
U.S.P. Pollock
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